

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FAITH BAPTIST CHURCH, et al.

Plaintiffs,

Case No. 08-11028

v.

Honorable John Corbett O'Meara

WATERFORD TOWNSHIP, et al.

Defendants.

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**ORDER OF PARTIAL DISMISSAL**

Plaintiffs filed a twelve-count complaint in this court on March 10, 2008, alleging the following: violations of Free Exercise, Freedom of Speech, and Freedom of Expressive Association in Counts I-III; conspiracy to deprive the aforementioned rights under the First Amendment in Count IV; unlawful search and seizure, and conspiracy under the Fourth Amendment in Counts V and VI; and violation of the Equal Protection Clause of the Fourteenth Amendment in Count VII, see 42 U.S.C. § 1983. Plaintiffs also allege religious discrimination and violations of their rights to equal protection, expressive assembly and association, free exercise, and free speech under the Michigan Constitution, and conspiracy to deprive the aforementioned rights under the Michigan Constitution in Counts VIII through XII, see Mich. Const. 1963, Art.1, Sec. 2-5.

While the claims alleging violations of federal law are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations in the complaint present claims based on state law. The parties to this matter are not diverse. Therefore, this court declines to exercise supplemental jurisdiction over the state claims. See United Mine Workers v. Gibbs, 383 U.S. 715 (1966); 28 U.S.C. § 1367(c).

Accordingly, it is hereby **ORDERED** that Counts VIII through XII are **DISMISSED**.

s/John Corbett O'Meara  
United States District Judge

Date: June 11, 2008

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, June 11, 2008, by electronic and/or ordinary mail.

s/William Barkholz  
Case Manager